

Thus, no new matter has been added. Applicants reserve the right to file a divisional application directed to the non-elected subject matter of canceled claims 19 and 20.

Issues Under 35 U.S.C. §121

The Examiner has required restriction to one of the following two groups under 35 U.S.C. § 121:

- I. Claims 8-18 and 21-22, drawn to a method for suppressing or ameliorating a symptom accompanying diminished homeostasis; or
- II. Claims 19-20, drawn to a method for improving metal taste.

Applicants respectfully traverse this restriction requirement. Applicants submit that in view of the similar class and subclass classifications of Groups I and II, it would not present the Examiner with an undue burden to search and consider claims 8-22 and their entirety. However, in order to be fully responsive to the outstanding Office Action Applicants hereby elect Group I, directed to claims 8-18, 21 and 22, for further prosecution on the merits. Applicants, as indicated above, reserve the right to file a divisional application related to the

non-elected subject matter of Group II, directed to claims 19 and 20.

In the outstanding Restriction Requirement the Examiner further indicated that if Applicants choose to elect Group I, Applicants should elect a single disclosed species. Accordingly, Applicants hereby elect "premenstrual syndrome" as a species from which the Examiner may commence his examination on the merits. Premenstrual syndrome is embodied in currently pending claim 11. Applicants advise the Examiner that this election of species serves only as a starting point for examination. In the absence of prior art, the Examiner is expected to expand his search from the elected species to include all other species with the intent of ultimately finding the generic claim allowable.

Favorable and early action upon the merits is respectfully solicited.

If the Examiner has any questions concerning this application, he is requested to contact Craig A. McRobbie, Registration No. 42,874 at the offices of Birch, Stewart, Kolasch & Birch, LLP.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. for any additional fees

required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17;
particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By C. M. Murphy, Jr. #42,874
for Gerald M. Murphy, Jr.
Reg. No. 28,977
Post Office Box 747
Falls Church, VA 22040-0747
(703) 205-8000

GMM/CAM/cms